

SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, & 30				1. REQUISITION NUMBER		PAGE 1 OF 18		
2. CONTRACT NO.		3. AWARD/ EFFECTIVE DATE	4. ORDER NUMBER		5. SOLICITATION NUMBER NIHAO2017066		6. SOLICITATION ISSUE DATE 01/09/2017	
7. FOR SOLICITATION INFORMATION CALL:		a. NAME AKILAH BULLOCK		b. TELEPHONE NUMBER (No collect calls) +1 301 761 7500		8. OFFER DUE DATE/LOCAL TIME 01/30/2017 1200 ET		
9. ISSUED BY National Institutes of Health National Institute of Allergy and Infectious Diseases Bethesda, MD 20892-7612			CODE IO-NIAID	10. THIS ACQUISITION IS <input type="checkbox"/> UNRESTRICTED OR <input checked="" type="checkbox"/> SET ASIDE: 100.00 % FOR: <input checked="" type="checkbox"/> SMALL BUSINESS WOMEN-OWNED SMALL BUSINESS <input type="checkbox"/> (WOSB) ELIGIBLE UNDER THE WOMEN-OWNED SMALL BUSINESS PROGRAM <input type="checkbox"/> HUBZONE SMALL BUSINESS <input type="checkbox"/> EDWOSB <input type="checkbox"/> SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS <input type="checkbox"/> 8(A) NAICS: 541611 SIZE STANDARD: \$15.0				
11. DELIVERY FOR FOB DESTINA- TION UNLESS BLOCK IS MARKED <input type="checkbox"/> SEE SCHEDULE		12. DISCOUNT TERMS		13a. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700)		13b. RATING		
15. DELIVER TO 5601 FL 5601 Fishers Lane Rockville, MD 20852		CODE 5601 FL	16. ADMINISTERED BY National Institutes of Health National Institute of Allergy and Infectious Diseases Bethesda, MD 20892-7612				CODE ADM-NIAID	
17a. CONTRACTOR/ OFFEROR		CODE	FACILITY CODE		18a. PAYMENT WILL BE MADE BY			CODE
TELEPHONE NO.				18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a UNLESS BLOCK BELOW IS CHECKED <input type="checkbox"/> SEE ADDENDUM				
<input type="checkbox"/> 17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER								
19. ITEM NO.	20. SCHEDULE OF SUPPLIES/SERVICES			21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT	
	The National Institute of Allergy and Infectious Disease (NIAID), professional services contract requirements are included in the attached Performance Work Statement (PWS). Period of Performance: One (1) 12 month base with four (4) 12-month option periods. 02/22/2017-02/21/2018 -- Base 02/22/2018-02/21/2019 -- Option Year 1 02/22/2019-02/21/2020 -- Option Year 2 (Use Reverse and/or Attach Additional Sheets as Necessary)							
25. ACCOUNTING AND APPROPRIATION DATA						26. TOTAL AWARD AMOUNT (For Govt. Use Only)		
<input checked="" type="checkbox"/> 27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52.212-1, 52.212-4, FAR 52.212-3 AND 52.212-5 ARE ATTACHED. ADDENDA <input type="checkbox"/> 27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4, FAR 52.212-5 IS ATTACHED. ADDENDA						<input checked="" type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED. <input type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED.		
<input type="checkbox"/> 28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN _____ COPIES TO ISSUING OFFICE. CONTRACTOR AGREES TO FURNISH AND DELIVER ALL ITEMS SET FORTH OR OTHERWISE IDENTIFIED ABOVE AND ON ANY ADDITIONAL SHEETS SUBJECT TO THE TERMS AND CONDITIONS SPECIFIED.				<input type="checkbox"/> 29. AWARD OF CONTRACT: _____ OFFER DATED _____ YOUR OFFER ON SOLICITATION (BLOCK 5), INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH HEREIN, IS ACCEPTED AS TO ITEMS:				
30a. SIGNATURE OF OFFEROR/CONTRACTOR				31a. UNITED STATES OF AMERICA (SIGNATURE OF CONTRACTING OFFICER)				
30b. NAME AND TITLE OF SIGNER (Type or print)		30c. DATE SIGNED		31b. NAME OF CONTRACTING OFFICER (Type or print)		31c. DATE SIGNED		

19. ITEM NO.	20. SCHEDULE OF SUPPLIES/SERVICES	21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT
	02/22/2020-02/21/2021 -- Option Year 3 02/22/2021-02/21/2022 -- Option Year 4 Period of Performance: 02/22/2017 to 02/21/2018				
1	One Senior Operations Officer/Principal Delivery To: 5B39 Product/Service Code: R499 Product/Service Description: SUPPORT-PROFESSIONAL: OTHER Delivery: 02/21/2018	1	EA		
2	Senior Professional II Functional Analyst Delivery To: 5B39 Product/Service Code: R499 Product/Service Description: SUPPORT-PROFESSIONAL: OTHER Delivery: 02/21/2018	2	EA		
3	One Senior Professional I Functional Analyst Product/Service Code: R499 Product/Service Description: SUPPORT-PROFESSIONAL: OTHER Delivery: 02/21/2018	1	EA		
4	One Senior Operations Officer/Principal Delivery To: 5B39 Continued ...	1	EA		

32a. QUANTITY IN COLUMN 21 HAS BEEN

☐ RECEIVED ☐ INSPECTED ☐ ACCEPTED, AND CONFORMS TO THE CONTRACT, EXCEPT AS NOTED: _____

32b. SIGNATURE OF AUTHORIZED GOVERNMENT REPRESENTATIVE		32c. DATE	32d. PRINTED NAME AND TITLE OF AUTHORIZED GOVERNMENT REPRESENTATIVE	
32e. MAILING ADDRESS OF AUTHORIZED GOVERNMENT REPRESENTATIVE			32f. TELEPHONE NUMBER OF AUTHORIZED GOVERNMENT REPRESENTATIVE	
			32g. E-MAIL OF AUTHORIZED GOVERNMENT REPRESENTATIVE	
33. SHIP NUMBER	34. VOUCHER NUMBER	35. AMOUNT VERIFIED CORRECT FOR	36. PAYMENT	37. CHECK NUMBER
<input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL			<input type="checkbox"/> COMPLETE <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL	
38. S/R ACCOUNT NUMBER	39. S/R VOUCHER NUMBER	40. PAID BY		
41a. I CERTIFY THIS ACCOUNT IS CORRECT AND PROPER FOR PAYMENT			42a. RECEIVED BY (<i>Print</i>)	
41b. SIGNATURE AND TITLE OF CERTIFYING OFFICER		41c. DATE	42b. RECEIVED AT (<i>Location</i>)	
			42c. DATE REC'D (YY/MM/DD)	42d. TOTAL CONTAINERS

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5	(Option Line Item) Product/Service Code: R499 Product/Service Description: SUPPORT- PROFESSIONAL: OTHER Delivery: 02/21/2019 Period of Performance: 02/22/2018 to 02/21/2019 Senior Professional II Functional Analyst Delivery To: 5B39 (Option Line Item) Product/Service Code: R499 Product/Service Description: SUPPORT- PROFESSIONAL: OTHER Delivery: 02/21/2019 Period of Performance: 02/22/2018 to 02/21/2019	2	EA		
6	One Senior Professional I Functional Analyst (Option Line Item) Product/Service Code: R499 Product/Service Description: SUPPORT- PROFESSIONAL: OTHER Delivery: 02/21/2019 Period of Performance: 02/22/2018 to 02/21/2019	1	EA		
7	One Senior Operations Officer/Principal Delivery To: 5B39 (Option Line Item) Product/Service Code: R499 Product/Service Description: SUPPORT- PROFESSIONAL: OTHER Delivery: 02/21/2020 Period of Performance: 02/22/2019 to 02/21/2020	1	EA		
8	Senior Professional II Functional Analyst Delivery To: 5B39 (Option Line Item) Product/Service Code: R499 Product/Service Description: SUPPORT- PROFESSIONAL: OTHER Delivery: 02/21/2020 Period of Performance: 02/22/2019 to 02/21/2020 Continued ...	2	EA		

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ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
9	One Senior Professional I Functional Analyst (Option Line Item) Product/Service Code: R499 Product/Service Description: SUPPORT- PROFESSIONAL: OTHER Delivery: 02/21/2020 Period of Performance: 02/22/2019 to 02/21/2020	1	EA		
10	One Senior Operations Officer/Principal Delivery To: 5B39 (Option Line Item) Product/Service Code: R499 Product/Service Description: SUPPORT- PROFESSIONAL: OTHER Delivery: 02/21/2021 Period of Performance: 02/22/2020 to 02/21/2021	1	EA		
11	Senior Professional II Functional Analyst Delivery To: 5B39 (Option Line Item) Product/Service Code: R499 Product/Service Description: SUPPORT- PROFESSIONAL: OTHER Delivery: 02/21/2021 Period of Performance: 02/22/2020 to 02/21/2021	2	EA		
12	One Senior Professional I Functional Analyst (Option Line Item) Product/Service Code: R499 Product/Service Description: SUPPORT- PROFESSIONAL: OTHER Delivery: 02/21/2021 Period of Performance: 02/22/2020 to 02/21/2021	1	EA		
13	One Senior Operations Officer/Principal Delivery To: 5B39 (Option Line Item) Product/Service Code: R499 Product/Service Description: SUPPORT- PROFESSIONAL: OTHER Delivery: 02/21/2022 Period of Performance: 02/22/2021 to 02/21/2022 Continued ...	1	EA		

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ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
14	<p>Senior Professional II Functional Analyst Delivery To: 5B39 (Option Line Item) Product/Service Code: R499 Product/Service Description: SUPPORT- PROFESSIONAL: OTHER</p> <p>Delivery: 02/21/2022 Period of Performance: 02/22/2021 to 02/21/2022</p>	2	EA		
15	<p>One Senior Professional I Functional Analyst (Option Line Item) Product/Service Code: R499 Product/Service Description: SUPPORT- PROFESSIONAL: OTHER</p> <p>Delivery: 02/21/2022 Period of Performance: 02/22/2021 to 02/21/2022</p> <p>*****</p> <p>The following Federal Acquisition Regulations provisions and clauses apply to this acquisition: *****</p> <p>FAR 52.212-2 Evaluation Commercial Items In accordance to FAR 52.212-2 Evaluation Commercial Items, the Government will award a contract resulting from this solicitation to the responsible offeror whose offer conforms to the PWS/solicitation requirements. The Governments objective is to obtain the highest technical quality considered necessary to achieve the objectives, with a realistic and reasonable cost.</p> <p>EVALUATION CRITERIA</p> <p>The evaluation criteria are used by the technical evaluation committee when reviewing the technical proposals. Adjectival ratings will be assigned for each criterion. The criteria and sub-criteria below are listed in descending order of relative importance unless specifically identified otherwise. Technical proposals are limited to 40 pages excluding appendices for 1) resumes and/or curriculum vitae, which are limited to 5 pages each; and 2) supporting documentation limited to 10 pages total. Continued ...</p>	1	EA		

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ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>The following factors shall be used to evaluate offers as referenced in the Evaluation attachment: (1) Corporate Experience, (2) Management Plan, (3) Experience and Qualification of Key Personnel, (4) Past Performance, (5) Price.</p> <p>The Government will issue a firm-fixed price purchase order to the responsible contractor. By submission of an offer, the Offeror acknowledges the requirement that a prospective awardee shall be registered and viewable in the System for Award Management (SAM) database prior to award, during performance, and through final payment resulting from this solicitation (www.sam.gov). By submission of an Offeror acknowledges the requirement that a prospective awardee shall have posted their FAR 52.212-3 Offerors Representative and Certifications Commercial items and services in the SAM database. Offerors are to submit their proposals by 12:00 pm eastern standard time Monday, January 30, 2017, 12:00pm by email at akilah.bullock@nih.gov, (subject line to reference NIHAO2017066).</p> <p>*****</p> <p>52.212-5 Contract Terms and Conditions Required To Implement Statutes or Executive Orders - Commercial Items.</p> <p>As prescribed in 12.301(b)(4), insert the following clause: Contract Terms and Conditions Required To Implement Statutes or Executive Orders; Commercial Items (Jan 2017) (a) The Contractor shall comply with the following Federal Acquisition Regulation (FAR) clauses, which are incorporated in this contract by reference, to implement provisions of law or Executive orders applicable to acquisitions of commercial items: (1) 52.209-10, Prohibition on Contracting with Inverted Domestic Corporations (Nov 2015). (2) 52.233-3, Protest After Award (AUG 1996) (31 U.S.C. 3553). Continued ...</p>				

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ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
	<p>(3) 52.233-4, Applicable Law for Breach of Contract Claim (OCT 2004) (Public Laws 108-77 and 108-78 (19 U.S.C. 3805 note)).</p> <p>(b) The Contractor shall comply with the FAR clauses in this paragraph (b) that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items: [Contracting Officer check as appropriate.]</p> <p><input checked="" type="checkbox"/> (1) 52.203-6, Restrictions on Subcontractor Sales to the Government (Sept 2006), with Alternate I (Oct 1995) (41 U.S.C. 4704 and 10 U.S.C. 2402).</p> <p><input type="checkbox"/> (2) 52.203-13, Contractor Code of Business Ethics and Conduct (Oct 2015) (41 U.S.C. 3509)).</p> <p><input type="checkbox"/> (3) 52.203-15, Whistleblower Protections under the American Recovery and Reinvestment Act of 2009 (June 2010) (Section 1553 of Pub. L. 111-5). (Applies to contracts funded by the American Recovery and Reinvestment Act of 2009.)</p> <p><input checked="" type="checkbox"/> (4) 52.204-10, Reporting Executive Compensation and First-Tier Subcontract Awards (Oct 2016) (Pub. L. 109-282) (31 U.S.C. 6101 note).</p> <p><input type="checkbox"/> (5) [Reserved].</p> <p><input checked="" type="checkbox"/> (6) 52.204-14, Service Contract Reporting Requirements (Oct 2016) (Pub. L. 111-117, section 743 of Div. C).</p> <p><input type="checkbox"/> (7) 52.204-15, Service Contract Reporting Requirements for Indefinite-Delivery Contracts (Oct 2016) (Pub. L. 111-117, section 743 of Div. C).</p> <p><input checked="" type="checkbox"/> (8) 52.209-6, Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (Oct 2015) (31 U.S.C. 6101 note).</p> <p><input checked="" type="checkbox"/> (9) 52.209-9, Updates of Publicly Available Information Regarding Responsibility Matters (Jul 2013) (41 U.S.C. 2313).</p> <p><input type="checkbox"/> (10) [Reserved].</p> <p><input type="checkbox"/> (11) (i) 52.219-3, Notice of HUBZone Set-Aside or Sole-Source Award (Nov 2011) (15 U.S.C. 657a).</p> <p><input type="checkbox"/> (ii) Alternate I (Nov 2011) of 52.219-3.</p> <p><input type="checkbox"/> (12) (i) 52.219-4, Notice of Price Evaluation Preference for HUBZone Small Business Concerns (OCT 2014) (if the offeror elects to waive the Continued ...</p>				

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	preference, it shall so indicate in its offer) (15 U.S.C. 657a). ___ (ii) Alternate I (JAN 2011) of 52.219-4. ___ (13) [Reserved] _x_ (14) (i) 52.219-6, Notice of Total Small Business Set-Aside (Nov 2011) (15 U.S.C. 644). ___ (ii) Alternate I (Nov 2011). ___ (iii) Alternate II (Nov 2011). ___ (15) (i) 52.219-7, Notice of Partial Small Business Set-Aside (June 2003) (15 U.S.C. 644). ___ (ii) Alternate I (Oct 1995) of 52.219-7. ___ (iii) Alternate II (Mar 2004) of 52.219-7. _x_ (16) 52.219-8, Utilization of Small Business Concerns (Nov 2016) (15 U.S.C. 637(d)(2) and (3)). ___ (17) (i) 52.219-9, Small Business Subcontracting Plan (Nov 2016) (15 U.S.C. 637(d)(4)). ___ (ii) Alternate I (Nov 2016) of 52.219-9. ___ (iii) Alternate II (Nov 2016) of 52.219-9. ___ (iv) Alternate III (Nov 2016) of 52.219-9. ___ (v) Alternate IV (Nov 2016) of 52.219-9. ___ (18) 52.219-13, Notice of Set-Aside of Orders (Nov 2011) (15 U.S.C. 644(r)). _x_ (19) 52.219-14, Limitations on Subcontracting (Nov 2011) (15 U.S.C. 637(a)(14)). ___ (20) 52.219-16, Liquidated Damages; Subcon-tracting Plan (Jan 1999) (15 U.S.C. 637(d)(4)(F)(i)). ___ (21) 52.219-27, Notice of Service-Disabled Veteran-Owned Small Business Set-Aside (Nov 2011) (15 U.S.C. 657 f). _x_ (22) 52.219-28, Post Award Small Business Program Rerepresentation (Jul 2013) (15 U.S.C. 632(a)(2)). ___ (23) 52.219-29, Notice of Set-Aside for, or Sole Source Award to, Economically Disadvantaged Women-Owned Small Business Concerns (Dec 2015) (15 U.S.C. 637(m)). ___ (24) 52.219-30, Notice of Set-Aside for, or Sole Source Award to, Women-Owned Small Business Concerns Eligible Under the Women-Owned Small Business Program (Dec 2015) (15 U.S.C. 637(m)). _x_ (25) 52.222-3, Convict Labor (June 2003) (E.O. 11755). _x_ (26) 52.222-19, Child Labor; Cooperation with Authorities and Remedies (Oct 2016) (E.O. 13126). _x_ (27) 52.222-21, Prohibition of Segregated Continued ...				

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	<p>Facilities (Apr 2015).</p> <p>_x_ (28) 52.222-26, Equal Opportunity (Sept 2016) (E.O. 11246).</p> <p>_x_ (29) 52.222-35, Equal Opportunity for Veterans (Oct 2015) (38 U.S.C. 4212).</p> <p>_x_ (30) 52.222-36, Equal Opportunity for Workers with Disabilities (Jul 2014) (29 U.S.C. 793).</p> <p>_x_ (31) 52.222-37, Employment Reports on Veterans (FEB 2016) (38 U.S.C. 4212).</p> <p>___ (32) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010) (E.O. 13496).</p> <p>_x_ (33) (i) 52.222-50, Combating Trafficking in Persons (Mar 2015) (22 U.S.C. chapter 78 and E.O. 13627).</p> <p>___ (ii) Alternate I (Mar 2015) of 52.222-50 (22 U.S.C. chapter 78 and E.O. 13627).</p> <p>___ (34) 52.222-54, Employment Eligibility Verification (OCT 2015). (Executive Order 12989). (Not applicable to the acquisition of commercially available off-the-shelf items or certain other types of commercial items as prescribed in 22.1803.)</p> <p>___ (35) 52.222-59, Compliance with Labor Laws (Executive Order 13673) (OCT 2016). (Applies at \$50 million for solicitations and resultant contracts issued from October 25, 2016 through April 24, 2017; applies at \$500,000 for solicitations and resultant contracts issued after April 24, 2017).</p> <p>Note to paragraph (b) (35): By a court order issued on October 24, 2016, 52.222-59 is enjoined indefinitely as of the date of the order. The enjoined paragraph will become effective immediately if the court terminates the injunction. At that time, GSA, DoD and NASA will publish a document in the Federal Register advising the public of the termination of the injunction.</p> <p>_x_ (36) 52.222-60, Paycheck Transparency (Executive Order 13673) (OCT 2016).</p> <p>___ (37) (i) 52.223-9, Estimate of Percentage of Recovered Material Content for EPA; Designated Items (May 2008) (42 U.S.C. 6962(c)(3)(A)(ii)). (Not applicable to the acquisition of commercially available off-the-shelf items.)</p> <p>___ (ii) Alternate I (May 2008) of 52.223-9 (42</p> <p>Continued ...</p>				

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	<p>U.S.C. 6962(i)(2)(C)). (Not applicable to the acquisition of commercially available off-the-shelf items.)</p> <p><input type="checkbox"/> (38) 52.223-11, Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (JUN 2016) (E.O. 13693).</p> <p><input type="checkbox"/> (39) 52.223-12, Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners (JUN 2016) (E.O. 13693).</p> <p><input type="checkbox"/> (40)(i) 52.223-13, Acquisition of EPEAT®-Registered Imaging Equipment (JUN 2014) (E.O.s 13423 and 13514).</p> <p><input type="checkbox"/> (ii) Alternate I (Oct 2015) of 52.223-13.</p> <p><input type="checkbox"/> (41)(i) 52.223-14, Acquisition of EPEAT®-Registered Televisions (JUN 2014) (E.O.s 13423 and 13514).</p> <p><input type="checkbox"/> (ii) Alternate I (Jun 2014) of 52.223-14.</p> <p><input type="checkbox"/> (42) 52.223-15, Energy Efficiency in Energy-Consuming Products (DEC 2007) (42 U.S.C. 8259b).</p> <p><input type="checkbox"/> (43)(i) 52.223-16, Acquisition of EPEAT®-Registered Personal Computer Products (OCT 2015) (E.O.s 13423 and 13514).</p> <p><input type="checkbox"/> (ii) Alternate I (Jun 2014) of 52.223-16.</p> <p><input checked="" type="checkbox"/> (44) 52.223-18, Encouraging Contractor Policies to Ban Text Messaging While Driving (AUG 2011) (E.O. 13513).</p> <p><input type="checkbox"/> (45) 52.223-20, Aerosols (JUN 2016) (E.O. 13693).</p> <p><input type="checkbox"/> (46) 52.223-21, Foams (JUN 2016) (E.O. 13693).</p> <p><input type="checkbox"/> (47) 52.225-1, Buy American;Supplies (May 2014) (41 U.S.C. chapter 83).</p> <p><input type="checkbox"/> (48)(i) 52.225-3, Buy American;Free Trade Agreements;Israeli Trade Act (May 2014) (41 U.S.C. chapter 83, 19 U.S.C. 3301 note, 19 U.S.C. 2112 note, 19 U.S.C. 3805 note, 19 U.S.C. 4001 note, Pub. L. 103-182, 108-77, 108-78, 108-286, 108-302, 109-53, 109-169, 109-283, 110-138, 112-41, 112-42, and 112-43.</p> <p><input type="checkbox"/> (ii) Alternate I (May 2014) of 52.225-3.</p> <p><input type="checkbox"/> (iii) Alternate II (May 2014) of 52.225-3.</p> <p><input type="checkbox"/> (iv) Alternate III (May 2014) of 52.225-3.</p> <p><input type="checkbox"/> (49) 52.225-5, Trade Agreements (OCT 2016) (19 U.S.C. 2501, et seq., 19 U.S.C. 3301 note).</p> <p><input checked="" type="checkbox"/> (50) 52.225-13, Restrictions on Certain Foreign Purchases (June 2008) (E.O.'s, proclamations, and statutes administered by the Continued ...</p>				

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	<p>Office of Foreign Assets Control of the Department of the Treasury).</p> <p>___ (51) 52.225-26, Contractors Performing Private Security Functions Outside the United States (Oct 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. 2302 Note).</p> <p>___ (52) 52.226-4, Notice of Disaster or Emergency Area Set-Aside (Nov 2007) (42 U.S.C. 5150).</p> <p>___ (53) 52.226-5, Restrictions on Subcontracting Outside Disaster or Emergency Area (Nov 2007) (42 U.S.C. 5150).</p> <p>___ (54) 52.232-29, Terms for Financing of Purchases of Commercial Items (Feb 2002) (41 U.S.C. 4505, 10 U.S.C. 2307(f)).</p> <p>___ (55) 52.232-30, Installment Payments for Commercial Items (Oct 1995) (41 U.S.C. 4505, 10 U.S.C. 2307(f)).</p> <p>_x_ (56) 52.232-33, Payment by Electronic Funds Transfer; System for Award Management (Jul 2013) (31 U.S.C. 3332).</p> <p>___ (57) 52.232-34, Payment by Electronic Funds Transfer; Other than System for Award Management (Jul 2013) (31 U.S.C. 3332).</p> <p>___ (58) 52.232-36, Payment by Third Party (May 2014) (31 U.S.C. 3332).</p> <p>___ (59) 52.239-1, Privacy or Security Safeguards (Aug 1996) (5 U.S.C. 552a).</p> <p>___ (60)(i) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) (46 U.S.C. Appx. 1241(b) and 10 U.S.C. 2631).</p> <p>___ (ii) Alternate I (Apr 2003) of 52.247-64.</p> <p>(c) The Contractor shall comply with the FAR clauses in this paragraph (c), applicable to commercial services, that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items: [Contracting Officer check as appropriate.]</p> <p>___ (1) 52.222-17, Nondisplacement of Qualified Workers (May 2014) (E.O. 13495).</p> <p>___ (2) 52.222-41, Service Contract Labor Standards (May 2014) (41 U.S.C. chapter 67).</p> <p>___ (3) 52.222-42, Statement of Equivalent Rates for Federal Hires (May 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).</p> <p>Continued ...</p>				

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	<p>___ (4) 52.222-43, Fair Labor Standards Act and Service Contract Labor Standards-Price Adjustment (Multiple Year and Option Contracts) (May 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).</p> <p>___ (5) 52.222-44, Fair Labor Standards Act and Service Contract Labor Standards;Price Adjustment (May 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).</p> <p>___ (6) 52.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment;Requirements (May 2014) (41 U.S.C. chapter 67).</p> <p>_x_ (7) 52.222-53, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services;Requirements (May 2014) (41 U.S.C. chapter 67).</p> <p>___ (8) 52.222-55, Minimum Wages Under Executive Order 13658 (Dec 2015).</p> <p>___ (9) 52.222-62, Paid Sick Leave Under Executive Order 13706 (JAN 2017) (E.O. 13706).</p> <p>___ (10) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (May 2014) (42 U.S.C. 1792).</p> <p>___ (11) 52.237-11, Accepting and Dispensing of \$1 Coin (Sept 2008) (31 U.S.C. 5112(p)(1)).</p> <p>(d) Comptroller General Examination of Record. The Contractor shall comply with the provisions of this paragraph (d) if this contract was awarded using other than sealed bid, is in excess of the simplified acquisition threshold, and does not contain the clause at 52.215-2, Audit and Records;Negotiation.</p> <p>(1) The Comptroller General of the United States, or an authorized representative of the Comptroller General, shall have access to and right to examine any of the Contractor;s directly pertinent records involving transactions related to this contract.</p> <p>(2) The Contractor shall make available at its offices at all reasonable times the records, materials, and other evidence for examination, audit, or reproduction, until 3 years after final payment under this contract or for any shorter period specified in FAR subpart 4.7, Contractor Records Retention, of the other clauses of this contract. If this contract is completely or Continued ...</p>				

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	<p>partially terminated, the records relating to the work terminated shall be made available for 3 years after any resulting final termination settlement. Records relating to appeals under the disputes clause or to litigation or the settlement of claims arising under or relating to this contract shall be made available until such appeals, litigation, or claims are finally resolved.</p> <p>(3) As used in this clause, records include books, documents, accounting procedures and practices, and other data, regardless of type and regardless of form. This does not require the Contractor to create or maintain any record that the Contractor does not maintain in the ordinary course of business or pursuant to a provision of law.</p> <p>(e)(1) Notwithstanding the requirements of the clauses in paragraphs (a), (b), (c), and (d) of this clause, the Contractor is not required to flow down any FAR clause, other than those in this paragraph (e)(1) in a subcontract for commercial items. Unless otherwise indicated below, the extent of the flow down shall be as required by the clause;</p> <p>(i) 52.203-13, Contractor Code of Business Ethics and Conduct (Oct 2015) (41 U.S.C. 3509).</p> <p>(ii) 52.219-8, Utilization of Small Business Concerns (Nov 2016) (15 U.S.C. 637(d)(2) and (3)), in all subcontracts that offer further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds \$700,000 (\$1.5 million for construction of any public facility), the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities.</p> <p>(iii) 52.222-17, Nondisplacement of Qualified Workers (May 2014) (E.O. 13495). Flow down required in accordance with paragraph (1) of FAR clause 52.222-17.</p> <p>(iv) 52.222-21, Prohibition of Segregated Facilities (Apr 2015)</p> <p>(v) 52.222-26, Equal Opportunity (Sept 2016) (E.O. 11246).</p> <p>(vi) 52.222-35, Equal Opportunity for Veterans (Oct 2015) (38 U.S.C. 4212).</p> <p>(vii) 52.222-36, Equal Opportunity for Workers Continued ...</p>				

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	<p>with Disabilities (Jul 2014) (29 U.S.C. 793). (viii) 52.222-37, Employment Reports on Veterans (Feb 2016) (38 U.S.C. 4212) (ix) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010) (E.O. 13496). Flow down required in accordance with paragraph (f) of FAR clause 52.222-40. (x) 52.222-41, Service Contract Labor Standards (May 2014) (41 U.S.C. chapter 67). (xi) 52.222-50, Combating Trafficking in Persons (Mar 2015) (22 U.S.C. chapter 78 and E.O 13627).Alternate I (Mar 2015) of 52.222-50 (22 U.S.C. chapter 78 and E.O 13627). (xii) 52.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (May 2014) (41 U.S.C. chapter 67). (xiii) 52.222-53, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Requirements (May 2014) (41 U.S.C. chapter 67). (xiv) 52.222-54, Employment Eligibility Verification (OCT 2015) (E.O. 12989). (xv) 52.222-55, Minimum Wages Under Executive Order 13658 (Dec 2015). (xvi) 52.222-59, Compliance with Labor Laws (Executive Order 13673) (OCT 2016) (Applies at \$50 million for solicitations and resultant contracts issued from October 25, 2016 through April 24, 2017; applies at \$500,000 for solicitations and resultant contracts issued after April 24, 2017). Note to paragraph (e)(1)(xvi): By a court order issued on October 24, 2016, 52.222-59 is enjoined indefinitely as of the date of the order. The enjoined paragraph will become effective immediately if the court terminates the injunction. At that time, GSA, DoD and NASA will publish a document in the Federal Register advising the public of the termination of the injunction. (xvii) 52.222-60, Paycheck Transparency (Executive Order 13673) (OCT 2016)). (xviii) 52.222-62, Paid Sick Leave Under Executive Order 13706 (JAN 2017) (E.O. 13706). Continued ...</p>				

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	<p>(xix) 52.225-26, Contractors Performing Private Security Functions Outside the United States (Oct 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. 2302 Note).</p> <p>(xx) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (May 2014) (42 U.S.C. 1792). Flow down required in accordance with paragraph (e) of FAR clause 52.226-6.</p> <p>(xxi) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) (46 U.S.C. Appx. 1241(b) and 10 U.S.C. 2631). Flow down required in accordance with paragraph (d) of FAR clause 52.247-64.</p> <p>(2) While not required, the Contractor may include in its subcontracts for commercial items a minimal number of additional clauses necessary to satisfy its contractual obligations.</p> <p>(End of clause)</p> <p>Additional Clauses</p> <p>FAR 52.204-7 System for Award Management (JUL 2013)</p> <p>FAR 52.204-16 --Commercial and Government Entity Code Reporting.(Jul 2015)</p> <p>FAR 52.204-17 Ownership or Control of Offeror.(Nov 2014)</p> <p>FAR 52.204-18 Commercial and Government Entity Code Maintenance.(Jul 2015)</p> <p>FAR 52.204-20 Predecessor of Offeror. (Apr 2016)</p> <p>FAR 52.204-21 Basic Safeguarding of Covered Contractor Information Systems.(Jun 2016)</p> <p>*****</p> <p>FAR 52.242-13 - Bankruptcy.</p> <p>FAR 52.203-3 - Gratuities.</p> <p>FAR 52.204-4 Printed or Copied Double-Sided on Postconsumer Fiber Content Paper.</p> <p>FAR 52.203-12 - Limitation on Payments to Influence Certain Federal Transactions.</p> <p>FAR 52.203-98, Prohibition on Contracting with Entities that Require Certain Internal Continued ...</p>				

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	<p>Confidentiality Agreements ; Representation (DEVIATION 2015-02)</p> <p>PROHIBITION ON CONTRACTING WITH ENTITIES THAT REQUIRE CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS ; REPRESENTATION (FEB 2015)</p> <p>(a) In accordance with section 743 of Division E, Title VII, of the Consolidated and Further Continuing Resolution Appropriations Act, 2015 (Pub. L. 113-235), Government agencies are not permitted to use funds appropriated (or otherwise made available) under that or any other Act for contracts with an entity that requires employees or subcontractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or subcontractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.</p> <p>(b) The prohibition in paragraph (a) of this provision does not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.</p> <p>(c) Representation. By submission of its offer, the Offeror represents that it does not require employees or subcontractors of such entity seeking to report fraud, waste or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or subcontractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information. (End of provision)</p> <p>52.203-99, Prohibition on Contracting with Entities that Require Certain Internal Confidentiality Agreements ; Representation (DEVIATION 2015-02)</p> <p>PROHIBITION ON CONTRACTING WITH ENTITIES THAT REQUIRE CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS (FEB 2015)</p> <p>Continued ...</p>				

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	<p>(a) The Contractor shall not require employees or subcontractors seeking to report fraud, waste, or abuse to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or subcontractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.</p> <p>(b) The contractor shall notify employees that the prohibitions and restrictions of any internal confidentiality agreements covered by this clause are no longer in effect.</p> <p>(c) The prohibition in paragraph (a) of this clause does not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.</p> <p>(d) (1) In accordance with section 743 of Division E, Title VII, of the Consolidated and Further Continuing Resolution Appropriations Act, 2015 (Pub. L. 113-235), use of funds appropriated (or otherwise made available) under that or any other Act may be prohibited, if the Government determines that the Contractor is not in compliance with the provisions of this clause.</p> <p>(2) The Government may seek any available remedies in the event the contractor fails to comply with the provisions of this clause.</p> <p>(End of clause)</p> <p>Continued ...</p>				

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	HHSAR Clauses HHSAR 352.202-1 Definitions. (January 2006) HHSAR 352.203-70 Anti-Lobbying. (December 2015) HHSAR 352.222-70 Contractor Cooperation in Equal Employment Opportunity Investigations. (December 2015) HHSAR 352.239-73 Electronic Information and Technology Accessibility Notice. (December 2015) HHSAR 352.239-74 Electronic Information and Technology Accessibility. (December 2015)				